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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of: Mieher et al.

Attorney Docket No.:

Application No.: 10/785,430

KLA1P117X1F/P1151/7

Filed: February 23, 2004

Examiner: STOCK JR, GORDON J.

Title: APPARATUS AND METHODS FOR  
DETECTING OVERLAY ERRORS USING  
SCATTEROMETRY

Group: 2877

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**INFORMATION DISCLOSURE STATEMENT  
BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE  
(37 CFR §§ 1.56 AND 1.97(c))**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The references listed in the attached PTO Form 1449, a copy of which is attached, may be material to examination of the above-identified patent application. Applicants submit this reference in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make this citation of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that this reference indeed constitutes prior art.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits, or after three months of the filing date of this application, whichever event occurred last, but it is believed before the mailing date of either: (i) a final action under §1.113 or (ii) a notice of allowance under §1.311, whichever occurs first.

Accompanying this Information Disclosure Statement is

a statement as specified in 37 CFR 1.97(e); or  
 the fee set forth in 37 CFR 1.17(p).

If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. KLA1P117X1F).

Respectfully submitted,  
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